REMARKS

Applicants hereby submit this Amendment B, responsive to Final Office Action—Date Mailed: January 26, 2006, Paper No. 2; for which a response is due [3] three months from the date of mailing of the Office Action: April 26, 2006.

Claims 1, 3, 5-21, 23, 37 and 40-45 are currently pending in the application. Claims 2, 4, 22, 24-36, 38 and 39 were previously canceled. Claims 1, 3, 5-21, 23, 37 and 40-45 are rejected. Claims 37 and 40-45 are objected to. Claims 1, 3 and 37 are hereby currently amended. Claims 5, 13, 17, 21, 40 and 41 were previously presented. Claims 6-12, 14-16, 18-20, 23 and 42-45 are original. No new matter has been added. Reconsideration is respectfully requested.

Claims 37 and 40-45 are objected to because in claim 37, line 9, "lower-rate SONET" should read – lower-rate SONET sub-channel. By this Amendment, claim 37 has been amended, so that claim 37, line 9, now reads as amended, "lower-rate SONET sub-channel".

Claims 40-45 are objected to as being dependent on claim 37.

Claim 37 has been amended to traverse and overcome the objection to claim 37, and thereby this amendment also overcomes the objection to claims 40-45.

Claims 1, 3, 5-21, 23, 37 and 40-45 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Examiner states:

— In reference to claim 1
Claim 1 recites the limitation "the SONET frame" in line 13. There is insufficient antecedent basis for this limitation in the claim.
— In reference to claim 37
Claim 37 recites the limitation "the SONET frame" in line 11. There is insufficient antecedent basis for this limitation in the claim.
— In reference to claims 3, 5-21, 23 and 40-45
Claim 3, 5-21, 23 and 40-45 are rejected as being dependent on claims 1 and 37.

By this Amendment, claims 1, 3 and 37 are amended. As amended, claims 1 and 37 provide sufficient antecedent basis for "a part of one of the SONET frames". The objection to claims 1 and 37 (and therefore, also as to claims 3, 5-21, 23, 40-45 as dependent on claims 1 and 37) are thereby traversed and overcome.

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It is respectfully submitted, that the rejection of claims 1, 3, 5-21, 23, 37 and 40-45 under 35 U.S.C. §112, second paragraph, is hereby traversed and overcome for the reasons discussed hereinabove.

Claims 1, 37, and 40 are rejected under 35 U.S.C. § 102(b) as being anticipated by Davidson.

The two independent claims, claim 1 and claim 37, as herein amended, are patentably distinguishable over the prior art. Claims 1 and 37 provide three components: "(1) SONET network, (2) time driven switching, and (3) mapping of SONET to (TDS) time frames".

In response to Examiner's points (i.e., paragraph 5, at pages 3-6 of the Office Action) the two independent claims, claim 1 and claim 37, as originally filed and as currently amended, explicitly patentably distinguish over Davidson (alone or in combination with other prior art).

Claims 1 and 37 are directed to providing the functional interface between two switching systems, SONET network and time driven switching (TDS) network. Claims 1 and 37 call for the components: "(1) SONET network, (2) time driven switching (TDS) network, and (3) mapping of SONET frames to (TDS) time frames.

SONET and IDS have different functional characteristics. SONET, which is well known in the art to use only **accurate frequency synchronization,** requires complex computation of overhead – OH. TDS (time driven switching), which is an element of the presently claimed invention (but not taught or disclosed in Davidson), is accurate in phase **(not solely frequency) synchronization**. This phase synchronization as in various ones of the pending claims, utilizes **CTR (002) or common time reference**. The presently claimed use of TDS with **CTR (002)** is entirely different from SONET and **DOES NOT** require, for example, the complex computation of overhead – OH – information, as needed for SONET (see, for example, FIG. 64.). The pending claims are also patentably distinguishable over all art of record.

As a result of the fundamental and inherent differences between SONET and **TDS** with **CTR**, the presently claimed invention provides an interface between SONET and TDS with **CTR** (as recited in Applicants' claims 1, 37 and all claims depending therefrom), such as, for example, the fractional lambda interface as recited in claim 1. (See also **FLI – 8300** in the specification and Figures 55-57.) As set forth in Claims 1, 37, and all dependent claims therefrom, this interface performs two basic functions for each direction of communications:

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(A)(1) SONET termination before transporting (what is known in the art as SONET frames) and

(A)(2) then mapping SONET frames into **TDS** with **CTR (002)** time frames and then

transporting the content SONET frames through the **TDS** with **CTR (002)** network, and (as in

certain dependent claims (e.g., claims 19, 20, 21 or 40-45)) (B) Opposite of the above operation,

(B)(1) terminating **TDS** with **CTR (002)** and (B)(2) mapping back to SONET frames and then

transporting through SONET network.

As discussed in the specification's detailed description (supporting the pending claims 1,

37, and claims depending therefrom), SONET to TDS with CTR interface (such as the fractional

lambda interface – **FLI** – **8300** in the specification and Figures 55-57) provides SONET devices

with access to the services of the time driven switching subnetwork **8020** (such as in claim 1)

through a fractional lambda interface **8300**. In the ingress direction, the fractional lambda

interface **8300** provides time framing and synchronization with the **CTR** (common time

reference) of STS-N frames prior to transmission within the time driven switching or time driven

priority subnetwork **8020**.

. Please note, that **SONET frames** and **TDS** with **CTR (002) time frames** are functionally

and semantically very different, though the two names use of "frames" can be confusing.

It is respectfully submitted that Examiner is incorrect in taking the position that the

present claims are basically SONET. If this were actually the case, there would have been no

need for having an interface (such as the fractional lambda interface – **FLI** – **8300** (in the

specification and Figures 55-57)). However, as set forth in the pending claims 1, 37, and all

claims depending therefrom) and as further detailed and supported in the present application

specification and figures, an interface between **SONET frames** and **TDS** with **CTR** frames

(such as the **FLI**) is provided in order to connect or interface.

In order to overcome the differences between **SONET frames** and TDS with **CTR (002)**

time frames, each of claims 1 and 37, explicitly recites an interface between SONET and **TDS**

with **CTR** between the SONET network and the TDS network.

This interface as set forth in claims 1 and 37 (and therefore in all claims depending

therefrom), is not taught, suggested or inferred in <u>Davidson</u> (alone or in combination with any

other art of record).

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It is respectfully submitted, that the rejection of claims 1, 37 and 40 35 U.S.C. § 102(b) as being anticipated by Davidson, is traversed and overcome for the reasons as discussed above herein.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson.

Claim 3 depends from claim 1, and is thus, allowable for the reasons as discussed above with regard to claim 1. There is no teaching, suggestion or inference of an interface between SONET and TDS with CTR in Davidson (alone or in combination with other art of record).

It is thus, respectfully submitted that the rejection of claim 3 under 35 U.S.C. §103(a) as being unpatentable over Davidson, is traversed and overcome.

Claims 5-18 and 41-45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Davidson in view of Noser (US 5,315,594).

As discussed above herein, claims 1 and 37, and all claims depending therefrom (including 5-18 and 41-45), are patentably distinguishable over Davidson, alone or combined with Noser (or any other art of record). Neither Davidson or Noser, alone or in combination, teach or suggest of an interface between SONET and TDS with CTR (as set forth in claim 1, 37 and all claims dependent thereupon). (Examiner's citations to Davidson and Noser are supportive of Applicants' position on this point, and contrary to the points for which they are cited by Examiner.)

Even the Examiner's proposed combination of Davidson with the cross-connect as taught by Noser fails to anticipate or render obvious Applicants' claimed invention. Combining Noser with Davidson would be of no assistance to achieve Applicants' claimed invention. Furthermore, the combination is not taught or suggested by any of the references of record, alone or in combination.

As discussed hereinabove, Examiner's citations to the references of record fail to support Examiner's basis of rejection. Claims 1, 37, and all claims depending therefrom, are patentably distinguishable over Davidson and Noser, alone or together in combination with all art of record.

Additionally, Applicants' claimed invention (as set forth in claims 13-23 and 43-45) is patentably distinguishable over all art of record for the reasons as set forth above, plus additionally, provides for control based upon a common time reference with forwarding and with mapping of non-byte interleaved lower-rate SONET sub-channels.

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PAGE 14/17 * RCVD AT 4/26/2006 7:15:29 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/25 * DNIS:2738300 * CSID:847 677 4656 * DURATION (mm-ss):06-24

It is respectfully submitted that the rejection of claims 5-18, and 41-45, under 35 U.S.C. § 103(a) as being unpatentable over <u>Davidson</u> in view of <u>Noser</u>, is traversed and overcome for the reasons as discussed herein.

Claims 19-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Davidson</u> in view of <u>Noser</u>, as applied to the parent claim, and further in view of <u>Khacherian et al.</u> (US 5,768,257).

As discussed above herein, claim 1 and 37, and all claims depending therefrom, are patentably distinguishable over <u>Davidson</u> or <u>Noser</u>, alone or in combination. Claims 19-21 depend from claim 1, and are allowable over all art of record as discussed with reference to claim 1. <u>Khacherian et al.</u> does <u>NOT</u> make up for the deficiencies of the <u>Davidson</u> and <u>Noser</u> patents, relative to the presently claimed invention. <u>Khacherian et al.</u> fails to teach or suggest of an interface for controlling SONET to TDS with CTR, as in claims 1, 37, and all claims depending thereon. For example, there is <u>NO</u> mapping of SONET to TDS as a time frame in <u>Khacherian et al.</u>, as there is called for in claim 1 and claims 19-21 (adding details of buffering and mapping, etc.) depending therefrom.

It is thus respectfully submitted that the rejection of claims 19-21 under 35 U.S.C. § 103(a) as being unpatentable over <u>Davidson</u> in view of <u>Noser</u>, and further in view of <u>Khacherian et al.</u> is traversed and overcome, for the reasons as discussed hereinabove.

Claim 23 is rejected under 35 U.S.C. § 103(a) as being unpatentable over <u>Davidson</u> in view of <u>Noser</u>, as applied to the parent claim, and further in view of <u>Shiragaki et al.</u> (U.S. 6,115,517).

As discussed hereinabove, the combination of <u>Davidson</u> and <u>Noser</u> (alone or in combination with other art of record), does <u>NOT</u> teach or suggest of a system (or method) as in the pending parent claims (1 and 37), or rejected claim 23 depending from claim 1 via claim 17. Thus, for the reasons as discussed above relative to claim 1, claim 23 is patentably distinguishable and allowable over Davidson and Noser (alone or in combination).

<u>Shiragaki et al.</u> does <u>NOT</u> teach or suggest of an interface for controlling SONET to TDS with CTR or of other aspects of the claimed invention as set forth in pending claim 23 (or claim 1 from which claim 23 ultimately depends).

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Shiragaki et al. does NOT make up for the shortfall of Davidson, Noser and the other art of record relative to pending claim 23 (or claim 1 from which claim 23 ultimately depends).

Claim 23 is allowable as it depends from claim 17 and therefrom from claim 1, which is allowable and patentably distinguishable over all art of record for the reasons discussed hereinabove.

For the reasons as discussed above, claim 23 is allowable and patentably distinguishable over Davidson, Noser, and Shiragaki et al. (alone or in combination with each other and all art of record).

It is respectfully submitted that the rejection of claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Davidson in view of Noser and Shiragaki et al., is traversed and overcome.

It is respectfully submitted that Applicants' arguments with respect to claims 1 and 37, previously filed, are NOT moot in view of the new ground(s) of rejection.

In order to overcome the differences between SONET frames and TDS with CTR (002) time frames, claims 1 and 37 (as originally filed and as currently pending), explicitly recites an interface between SONET and TDS with CTR between the SONET network and the TDS network.

This interface, as set forth in claims 1 and 37 (as originally filed and as currently pending), and all claims depending therefrom, is not taught, suggested or inferred in Davidson, Noser, Khacherian et al., Shiragaki et al., or any other art of record, alone or in combination.

Furthermore, it is respectfully submitted that Applicant's prior amendment did NOT necessitate the new ground(s) of rejection presented in the January 26, 2006 Office Action, for the reasons as set forth above herein. Accordingly, the January 26, 2006 ACTION SHOULD NOT HAVE BEEN MADE FINAL. See MPEP § 706.07(a).

It is respectfully submitted that Applicants' pending claims (as originally filed and as amended) were and are patentably distinguishable over all art of record for the reasons as discussed herein.

As discussed hereinabove, NONE of the references of record, alone or in combination, teach, suggest or infer Applicants' claimed invention as set forth in independent claims 1 and 37

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(as originally filed and currently amended) and all claims depending therefrom. Applicants' amendments have clarified this point.

It is thus, respectfully submitted that the **FINAL** rejection was improper, and it is respectfully requested that the **FINAL REJECTION BE WITHDRAWN.**

The prior art made of record and not relied upon by Examiner has also been reviewed by Applicants. It is respectfully submitted that all pending claims are patentably distinguishable over all art of record.

Applicants respectfully submit that by this Amendment B, any and all objections and rejections are hereby traversed and overcome, and the application (including all pending claims) is in proper form for allowance. A Notice of Allowance or Allowability is respectfully requested.

The Director has been previously authorized to charge any additional fees and credit any overpayments during the pendency of this application to Sitrick & Sitrick's Deposit Account Number: 501166. No additional fees are due.

The Examiner is invited to directly communicate with the undersigned, if it will in any way facilitate the prosecution of the application.

Respectfully submitted,
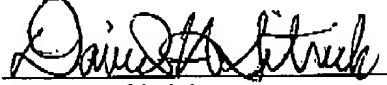
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